

Arlington Historic District Commissions

May 24, 2018
Whittemore Robbins House

Approved Minutes

Commissioners Present: N. Aikenhead, D. Baldwin, C. Barry, M. Bush, C. Hamilton, S. Lipp, S. Makowka, C. Tee, J. Worden

Commissioners Not Present: M. Audin, B. Cohen

Guests: D. Tee, H. Colquhoun, P. Mackey, T. Stewart, J. Leone, H. Allen, K. Lubar, J. Bohn, L. Bohn, C. Carney

1. **AHDC Executive Session Meeting Opens** **7:15pm**
Meeting called to order by S. Makowka who then moved to enter into executive session for the purpose of discussing strategy related to litigation.

Roll Call: S. Makowka, D. Baldwin, C. Tee, C. Hamilton, C. Barry, S. Lipp, N. Aikenhead, M. Bush, J. Worden – affirmative unanimously to enter into executive session.

SEE EXECUTIVE SESSION MINUTES OF 5/24/18

2. **Adjourn from EXECUTIVE SESSION.**
Roll Call: S. Makowka, D. Baldwin, C. Tee, C. Hamilton, C. Barry, S. Lipp, N. Aikenhead, M. Bush, J. Worden – affirmative unanimously to exit from executive session.

AHDC Regular Meeting Opens **8:00pm**

3. **Appointment of alternate Commissioners.** Jason/Gray – C. Hamilton; Central –C. Barry, C. Hamilton; Pleasant Street – C. Hamilton (when D. Baldwin recused himself), C. Barry;
4. **Approval of draft minutes from April 26, 2018.** C. Barry and M. Bush sent changes to minutes and D. Baldwin moved minutes with corrections, seconded by C. Barry. Unanimous approval.
5. **Communications**
 - a. Email from C. Starks with COA application for garage door replacement
 - b. Call from owner of 49 Westmoreland Ave. for clarification whether in the Mt Gilboa Historic District or outside. Advised property is located in the District.
 - c. Email with application from John Leone for house to be built outside District at Lot 37A (aka 83 Irving Street).
 - d. Email from Building Dept. re: Lot 37A (aka 83 Irving Street) with plans
 - e. Emails from John Leone to S. Makowka re: Lot 37A (aka 83 Irving Street)
 - f. Email with application and additional email with revised plans for 55 Academy Street COA for skylight

- g. Email with application for 38 Academy Street COA
- h. Email to F. Reidy with website changes – Commissioner List and Updated Approved Minutes and Open Commissioner seats
- i. Request for Streetscape Committee report at 5/24 meeting
- j. Emails for Executive Session meeting request
- k. Emails between S. Makowka and town tech dept. for file storage
- l. Email for notification of Residential Study Group meeting
- m. Emails for clarification of building address for new construction at Lot 37A Irving Street (aka 83 Irving Street)
- n. Emails re: 74 Pleasant Street (St John's Episcopal) for documentation request
- o. Email for request of information on 55 Academy Street formal hearing from neighbor
- p. Email from neighbors at 53 Academy Street in support of skylight proposal for 55 Academy Street
- q. S. Makowka reported on online storage plans with Town technology dept.
- r. Redesign of Whittemore Park report given – positive feedbacks was the railroad tracks and top negative response was railroad tracks. Most draft proposals preserve tracks in one sense or another. The railroad tracks are the only original fabric in the entire park and we want a strong preservation effort. Precedent in context of when it was made a park the tracks and the house were focal points in recognizing parcel.
- s. S. Makowka spoke about proposed demolition delay bylaw changes to expand coverage which Town Meeting referred to the Residential Redesign Committee. *
First meeting was yesterday and S. Makowka and J. Robinson attended.

6. Other Business

- a. Central Street and Avon Place Historic District vacant commissioner seat.
- b. Discussion on Guidelines
- c. Discussion on Streetscape sub-committee

7. New Business

Hearings (typically last around 20 minutes per application)

8:20pm

- a. **Formal Hearing re: Lot 37A Irving Street (Bouvier) for CONA application to build outside Historic District boundaries.**
VOTING MEMBERS: C. Hamilton (alternate), C. Barry (Jason/Gray), N. Aikenhead, D. Baldwin, S. Lipp, C. Tee, J. Worden

J. Leone presented. Building proposed is on Lot A (1/2 of lot is outside the District) and insists it goes to edge of lot 37B which joins 37A. Plot 3 on the drawings shown by J. Leone shows lot 37B in District and 37A outside district boundaries. This predates the formation of the Historic District according to J. Leone. Length of lot 30 42.5 feet to that point and runs along boundary of two lots. He said applicant is proposing to put new building entirely outside of the District and nothing will overhang into the district. How far will the eaves and gutters extend beyond the façade of the house asked S. Makowka. The house size will be decreased so it does not go over the District line according to J. Leone. J. Leone also stated that they will not change the grade or any other features of lot 37b. S. Makowka asked about a curb cut and J. Leone said they have a curb cut and they will just widen the existing driveway. The previously approved plan did not give them as much space between the two homes and this is why they turned the house and are placing it as proposed.

S. Makowka asked about the Town Meeting vote forming the District which specified 127 feet along Academy street edge. J. Leone said that the stone bound is where the

measuring actually starts and it's about 3.5 feet from there to the curb stone. He noted that the vote of the district does specifically say the edge of Lot B so no way to know where that measurement was made from. M. Bush said plot 2 the 59 Jason Street lot is 85 feet wide along Academy Street plus the 42.4 feet for lot 37A. This is the same as the property deed which specifies that lot line to be 127 ½ feet from marker. He pointed out, however, that the proposal has the edge of Lot 37A at only 124 feet from marker. M. Bush pointed out that the Applicant has submitted numerous different documents listing the dimensions of this lot. 5 of 6 say the lot line is 127 ½ feet long but that the applicant is supporting the proposal based on the one plan that works in his favor. It was indicated that the District is designed based on the deeds which all say 127.5 feet and not the one map which shows a different dimension. M. Bush stated that, in his opinion, we have considerable disagreement around where the District boundary is and according to the preponderance of the documents, at best, there is an uncertain situation as to the location of the District line relative to the proposed structure and, as such, suggested that based on the facts currently before us, the Commission should deny the application.

J. Leone said vote clearly states to the boundary of 37B and it is the District's job to prove whether or not the property is inside the district. It is not applicant's job to prove what TM voted upon 20 years ago and based on the plans he provided, it is outside the District. J. Leone stated that the deed is a lawyer's verbal rendering of a plan. M. Bush suggested that if the Applicant believes that the Bylaw is incorrect, then he can go to Town Meeting and get it clarified. S. Makowka summarized that there was a suggestion that the application for a Certificate of Non-Applicability be denied because there is a disagreement about the interpretation of the facts currently before us. The documents submitted by the Applicant on various dates (most on 1/26/16 as part of a previous Application) Based on this disagreement, there is uncertainty as to whether any portion of the proposed house falls within the District and the concern is that the Commission does not have a basis to issue a CONA at this time. C. Barry said clearly there is a technicality here but the Applicant is trying to build outside the District and he feels we could be generous about this. N. Aikenhead said they have a large amount of land inside the district.

A member of the public asked if there might be a compromise for an acceptable house on the lot. The Commission explained that there was an approved house but the Applicant was now applying for something different.

S. Makowka suggested that, based on the record before the Commission we not grant a CONA because of the confusion of where the boundary is and suggested that the Commission designate a working group sit down with the Applicant to work with the Applicant to clarify the issue. C. Hamilton made a motion to deny a CONA at this time based on the fact that material uncertainty remains as to the location of the proposed structure with respect to the actual District boundary, as established by the vote of the Arlington Town Meeting. Seconded by D. Baldwin. **VOTE: in favor of denying the CONA – Roll Call: Yes - C. Hamilton, S. Lipp, N. Aikenhead, D. Baldwin, J. Worden, and C. Tee. Opposed – C. Barry. CONA denied 6-1.**

b. Formal Hearing re: 7 Bacon Street (Allen) for dormer addition.

VOTING MEMBERS: C. Hamilton (alternate), C. Barry (alternate), N. Aikenhead, D. Baldwin, S. Lipp, C. Tee, J. Worden

S. Makowka explained that H. Allen wants to put dormer on back roof of house at 7 Bacon Street. After reviewing the initial application, he had thought that it was missing

information of what the as built dormer would look like so the Applicant was asked to show proposed dormer on photos and drawings. J. Worden said he needs a graphic illustration of the dormer. The applicant described the proposed project indicating they wanted a dormer that would look like the existing one on the same part of the house but that they were thinking of omitting the windows due to some concern about security given the location of a nearby roof top. S. Makowka said he suggests that the Commission might entertain approving a shed dormer that mirrors the existing one in size and shape with at least one window in the middle of the outward facing wall or perhaps two symmetrically positioned with trim and other details to match the rest of the house's existing conditions. The Applicant confirmed that the existing eaves, trim, and gutter would all remain. C. Barry moved approval to add a dormer subject to the provision that the proposed dormer match the dormer on the other side and all cladding, siding, and roof details match the existing condition and that the fenestration match the existing condition on the other dormer. Also, that everything is to be presented and approved by the monitor prior to installation. Seconded by C. Tee.
VOTE: J. Worden abstained. Approved C. Hamilton, C. Barry, N. Aikenhead, D. Baldwin, S. Lipp, C. Tee. Monitor appointed: S. Lipp

c. **Formal Hearing re: 55 Academy Street (MacLennan) re: skylight changes.**

VOTING MEMBERS: C. Hamilton (alternate), C. Barry (alternate), N. Aikenhead, S. Lipp, C. Tee, J. Worden, M. Bush (alternate) (D. Baldwin having recused himself)

The Applicant explained that the proposal to eliminate one existing skylight and replace with another slightly larger one and a different location and replace roof shingles with dark asphalt. Copper cladding is proposed on new skylight. The tinking is that with darker color, the skylight will tend to disappear. Present 24 x 30" and new one is 30" x 45". C. Barry commented he liked the copper clad skylight. C. Barry moved approval of the removal of the existing skylight and installation of a new skylight in separate location as proposed. M. Bush seconded. **VOTE: Unanimous approval C. Hamilton (alternate), C. Barry (alternate), N. Aikenhead, S. Lipp, C. Tee, J. Worden, M. Bush (alternate).** Monitor S. Makowka. S. Makowka indicated that the roof change was not under our jurisdiction so he would add language to that effect and wrap it up together in one certificate.

d. **Formal Hearing for 19 Maple Street (Hirani) re: replacement of wood gutters with Fiberglass Gutter Company gutters.**

VOTING MEMBERS: C. Hamilton (alternate), C. Barry (alternate), N. Aikenhead, S. Lipp, C. Tee, J. Worden, D. Baldwin.

Y. Hirani showed photos of existing conditions and locations of gutters to be replaced. Replacing on front porch and rear addition with Fiberglass Gutter Company gutters. C. Barry moved application as submitted for replacement of wood gutters with Fiberglass Gutter Company gutters. Seconded by D. Baldwin. **VOTE: Unanimous approval C. Hamilton (alternate), C. Barry (alternate), N. Aikenhead, S. Lipp, C. Tee, J. Worden, D. Baldwin.** Monitor – S. Makowka

e. **Formal Hearing re: 32 Academy Street (Vichier) re: shutter installation.**

VOTING MEMBERS: C. Hamilton (alternate), C. Barry (alternate), N. Aikenhead, S. Lipp, C. Tee, J. Worden, D. Baldwin.

Applicant was not present. However, the Commission felt that the intent of the proposal was clear. The Commission discussed that it was important that shutters should be engaged to look as though they should close, i.e. not simply be nailed to the wall. S. Makowka said this is a 1963 infill house. The commission agreed that adding shutters was appropriate but that vinyl shutters as proposed was not appropriate or consistent with the Commissions Design Guidelines so the proposed vinyl shutters are a non-starter. J. Worden moved approval of the application subject to the condition that all wood shutters be used and that they be appropriately installed and sized such that, if closed, they would fully cover the window except for the bay window and that everything be approved by the monitor prior to installation. Seconded by D. Baldwin. **VOTE: Unanimous approval C. Hamilton (alternate), C. Barry (alternate), N. Aikenhead, S. Lipp, C. Tee, J. Worden, D. Baldwin.** Monitor J. Worden

- f. **Formal Hearing re: 38 Academy Street (Bohn) re: deck extension.**
VOTING MEMBERS: C. Hamilton (alternate), C. Barry (alternate), N. Aikenhead, S. Lipp, C. Tee, J. Worden, D. Baldwin.

The Applicant clarified that the existing corners of the deck will be the same. The door to the deck in the back doesn't have enough room and the want to make the rear, center portion of the deck 5 feet deeper. It was determined that the actual proposed changes would not be subject to public view. C. Barry moved this applicant be treated as a CONA; seconded by C. Tee. **VOTE: Unanimous approval C. Hamilton (alternate), C. Barry (alternate), N. Aikenhead, S. Lipp, C. Tee, J. Worden, D. Baldwin.** Monitor S. Makowka

- g. **Formal Hearing re: 74 Pleasant St. (St John's) re: downspout replacements.**
VOTING MEMBERS: C. Hamilton (alternate), C. Barry (alternate), N. Aikenhead, S. Lipp, C. Tee, J. Worden, D. Baldwin.

C. Carney presented pictures of proposed new downspouts. They are proposing aluminum downspouts to match the dimensions of the existing (now stolen) copper downspouts. She explained that the shown downspouts are not an exact match but are a pretty close a match to the gutters that are left after the theft. The Commission discussed specifying that the size match original size. The Applicant said they will be same width as existing and the finish can match existing downspouts and presented a few options. The Commission suggested that the monitor can review and specify the final approved finish with the intent to match the weathered copper color of the existing system. J. Worden moved approval of aluminum downspouts to match size of existing and former downspouts with the size and shape and the color be approved by the monitor prior to installation but to imitate copper color of downspouts as nearly as possible. He amended his motion to adopt S. Makowka suggestion that the certificate specify that all existing gutters and downspouts still there are to remain and be matched as much as possible with nothing to be removed that hasn't already been removed. Seconded by C. Hamilton. **VOTE: Unanimous approval C. Hamilton (alternate), C. Barry (alternate), N. Aikenhead, S. Lipp, C. Tee, J. Worden, D. Baldwin.** M. Audin will continue as monitor

7. OPEN FORUM

Ordinarily, any matter presented to the Commission under Open Forum will neither be acted upon nor a formal decision made, absent a previously noticed agenda item, but the

Commission may make a decision if it deems it appropriate and necessary for the public good.

8. REVIEW OF PROJECTS

39 Russell Street (Parmenter House) (Donegan) M. Bush said chimney has been replaced as requested.

9. MEETING ADJOURNED 9:40pm

Respectfully submitted by C. Greeley, AHDC Executive Secretary

*J. Raitt notified AHDC that the May 24, 2018 AHDC minutes should correctly reflect “the name of group looking at “demolition delay” per Town Meeting is the Residential Study Group which is a subcommittee of the Master Plan Implementation Committee, not the Residential Redesign Committee.”